



INFO LEAFLET #3

PRISON VIOLENCE PROJECT



by the Anti-Colonial Action Alliance

The Anti-Colonial Action Alliance is a grassroots student group formed to promote the political agenda of marginalized groups fighting the colonial state(s) apparatus. A fundamental part of our work is anti-prison work.

It is within this analysis that we are sponsoring the Prison Violence Project at Trent.

The Prison Violence Project at Trent is a support initiative to promote investigative research and public education on the human rights violations of prison inmates in Canadian prisons.

This project is part of a widespread movement to bring public attention to the Correctional Services of Canada (CSC)

which is in violation of their own mandate on the treatment of inmates.

The Prison Violence Project at Trent will be the first time that the Prison Violence Project will have been organized at Trent University in Peterborough.

This centrespread is the first phase for the project. During the week of March 20th we will have a display in the Bata Library window, and Zoltan Lugosi, secretary of the Prison Violence Project, will be speaking at Trent.

The overall goal is to generate *letters* and *petitions* to call for an investigation into Correctional Services of Canada. The goal of the Prison Violence Project at Trent is to raise 1000 signatures of support and \$500.00 in donations.

Many of the issues we are focusing on are currently going through the justice system so it is important to have a lot of outside support for the prisoners and families who are spearheading the larger project.

If any group or individuals are interested in volunteering in the Prison Violence Project at Trent or in hosting the Prison Violence Project in their university, high school, or community group, please contact the Anti-Colonial Action Alliance.

**ACAA's next meeting:
Tuesday, Feb. 28th at 8pm
617 George St. N, Apt. #2**

AIMS AND PRINCIPLES

*By Rudolf Martens, Chairman, PVP,
and Zoltan Lugosi, Secretary, PVP*

The Prison Violence Project was formed as a reaction to the practices observed in the prison system by prisoners. It is felt that the high incidents of violence, including psychological violence, violence against prisoners by staff, and violence amongst prisoners contributes to the violent crime committed by prisoners upon release. It is our goal to reduce these forms of violence in the prison system through research, public education and in the courts.

"Through these Aims, who hope to achieve a reduction in violence and violent potential in prisons and thereby cause a substantial reduction of violence by ex-prisoners and overall society."

1) We support the principles of the Mission Docu-

ment of the Correctional Service Canada and use all our resources to promote its implementation.

2) We advocate the implementation of programs that develop prisoners' vocational and social skills in order that s/he become a productive, law abiding citizen that is a full participant within the community.

3) We believe that the main focus of Canadian penitentiaries and release programs is the physical and financial security of Correctional Service employees. We will use our resources and the courts to divert this focus towards the protection of society through the implementation of valid rehabilitation programs, which are sorely lacking at this time.

4) Our main tool in achieving our aims one, two and three is Core Value Five of the Mission Document; "We believe in managing the Service with openness and integrity and we are accountable to the Solicitor-General."

PRISON VIOLENCE PROJECT

The Prison Violence Project has a three-phase strategy to implement the aims of the Prison Violence Project they are;

1) Publishing a report, the Prison Violence Project has been sending a survey to prisoners and organizations that supports prisoners. A law professor will complete a statistical analysis of the surveys. From the statistics we will determine the extent of the human rights violations of prisoners in the Canadian Prisons system.

2) The "inmate committees" of five Canadian Correctional Institutions will (or are in the process) file five claims in federal court reflecting specific violations of the Mission Document of Correctional Services of Canada. The five violation are;

◆ The Double Bunking at Joyceville correctional institution. (double bunking is one aspect of the general overcrowding of prison facilities.)

◆ The Death of Robert Gentles, a 23 year Black man who was murdered by 6 guards at Kingston Penitentiary. (There have been 449 inmate deaths between 1988 and 1993 in Federal Canadian prisons.)

◆ Criminal Medical Neglect of prisoners with HIV/AIDS. (There is a systemic lack of information, needles and condoms for prisoners with AIDS.)

◆ Desegregation of the P4W-5, (five women who have been in segregation since April 1994. The women have been released into B range after 9 month in segregation. There is still a lot of questions around the excessive use of the segregation unit, the abuse of the women who are placed there and the special handling unit conditions of B range.)

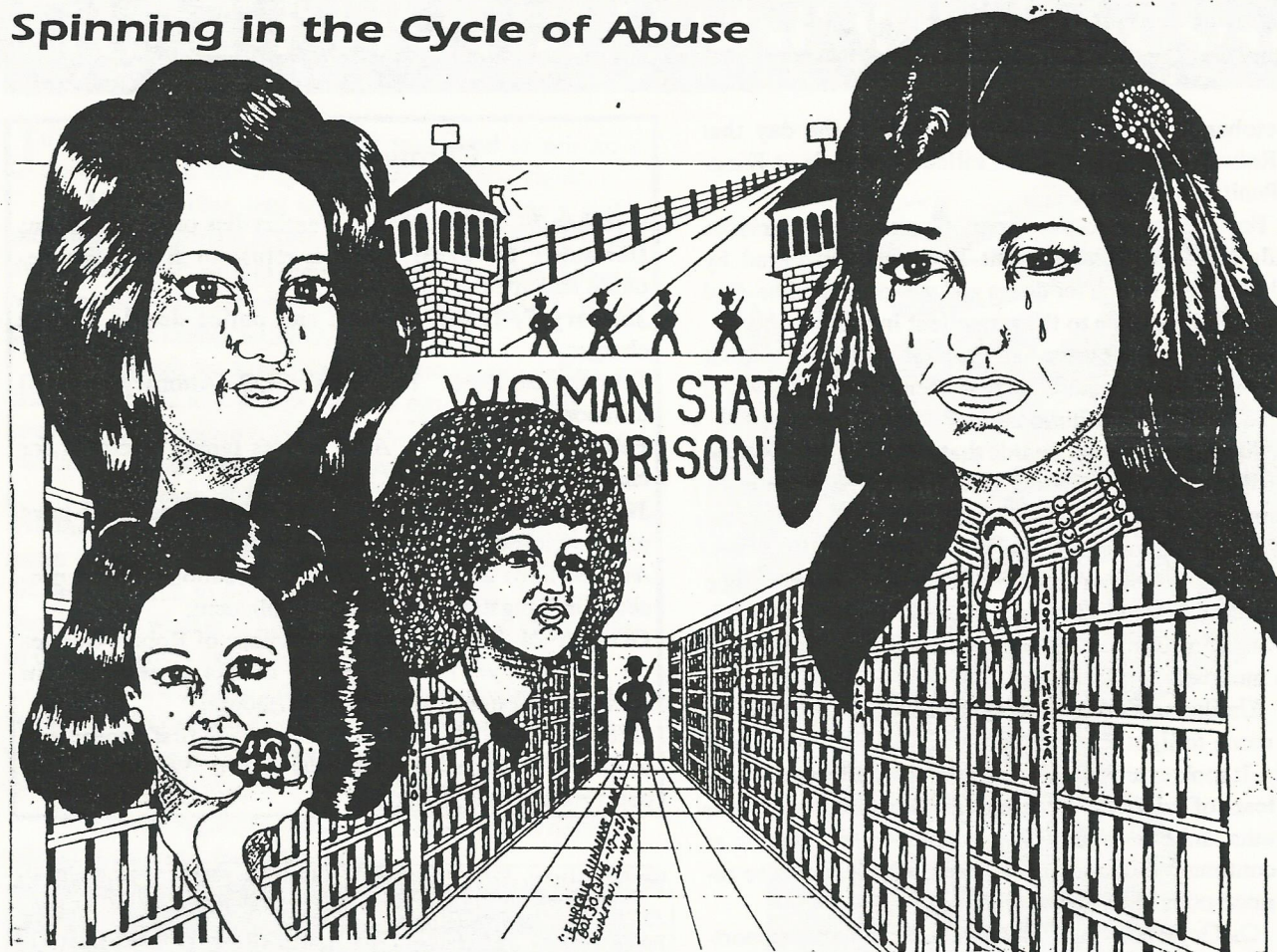
◆ Lack of effective and accessible treatment for sexual offenders.

3) Throughout the Prison Violence Project there has and will continue to be an ongoing lobby campaign to call on the Federal Cabinet to commission an enquiry into Correctional Services of Canada.



KINGSTON PRISON FOR WOMEN

Spinning in the Cycle of Abuse



All the segregated women of the original six involved in the April '94 incident have now been released from the "hole".

This has been reported by the mainstream press. What they have failed to mention is that instead of being released back to "general population", the six are again confined under appalling conditions on the segregated 'B' Range.

In fact, the conditions of B Range are not unlike a Special Handling Unit (SHU). This means that the women confined there spend up to 23 hours a day in their cells, are not fed nor given exercise when the rest of the prison's population is, and they cannot be involved in rehabilitative programs, nor such special events as family day. These women are not being treated equally, which brings into question such arbitrary and illegal practices of the prison administration.

Currently, a report that no one has read, except mainstream media it seems, claims that the six women involved in this case "were running the prison".

One wonders why such an institution as CSC would admit this to anyone, if in fact it was true? And if the women were running the prison, why did they continue to be outspoken about the conditions and abuse they have been enduring for so long at P4W? Claims such as this report are the kind of thing that keeps the public misinformed about prisons, and the people in them.

It is important to note that women on B Range are among those who were sentenced to prison for protecting

themselves from their abusive partners. The courts referred to their charges as murder. Yet a man can lawfully kill another to protect his property. So it is clear that women are deemed worth less than property by the courts and are unequal before the law.

Another of the practices at P4W that raise questions is the excessive and arbitrary use of segregation. One prisoner there gave a urinalysis that proved that she was not ingesting any illegal substances. Regardless, she spent several months in the 'hole' prior to the urine being analyzed, as well as several after the analysis acquitted her. Not only was she treated as guilty until proven innocent, but she was punished for having done nothing.

Recent mainstream press and radio have helped reveal what is going on in P4W, with editorials and call-in shows. There has been much concern expressed for the truth of what has been going on behind the walls for a long time. The prison itself has been condemned on numerous occasions, and there is supposedly some plans to replace it.

Many have been raising the question of how this sort of thing can occur in a society such as ours.

It is true that the public tends to view prisons as something that is not of their doing or concern. In fact, prisons remain a direct reflection of the society which maintains them. Somehow we must raise awareness of the general public, so that they will be outraged as any person should be. Can we raise that conscience enough to seek a remedy for the abuses of prisons, especially those at P4W?

QUESTIONABLE PRISON DEATH

October 24th 1994 marked one year to the day that Robert Gentles (Tex) was killed by guards at Kingston Penitentiary.

For most of the past year, Correctional Services Canada (CSC) maintained that Tex was confronted by guards during a search for drugs and weapons, and he died of an allergic reaction to the propellant in mace.

The truth is that there had been an attempt to extract him from his cell because he had been playing his radio too loud during an institutional lockdown.

Although it was six guards that went to restrain him, they still used approximately three times the amount of mace prescribed by CSC to subdue a prisoner.

A second autopsy revealed that he died of suffocation. His grieving mother and family has sought justice since the day they learned of his death, and it is highly suspicious that Mrs. Gentles was not allowed to view Tex's body at the morgue.

Unlike any other suspicious death, Tex's case finally came to light. But only after his family's persistent efforts. It took extensive investigation and efforts of the legal team of Julian Falconer and his associates to uncover the truths and eventually file private criminal charges as CSC continued to maintain its status, which seems to remain none other than above the law.

On October 24th 1994, friends, family and supporters gathered at the gates to Kingston Pen for a candlelight vigil to commemorate Tex's death. During speeches by a host of community group representatives, Mrs. Gentles said that "I am not fighting for my son...he is dead. I am fighting for justice".

Criminal lawyer Paul Copeland, was among the various speakers at the vigil. He had been retained by the Justice for Gentles Committee, an ad hoc group of 380 KP prisoners who signed a petition urging Marion Boyd, Attorney General of Ontario to prosecute the guards involved in Tex's case.

It is interesting that the Committee organizer/prisoner, Rudy Martens was confronted the morning after the vigil to be informed that he was being transferred the next day. Obviously, KP administrators are feeling the heat. Prisoners at KP observed an evening of inactivity in solidarity with the vigil after the warden there refused them access to the chapel to hold a special service.

During the court appearance of the accused the morning after the vigil, the crown attorney was finally compelled to look into the matter. Heated words were exchanged between defence lawyers and Julian Falconer, which is highly indicative of what is to come in this case that represents the first time ever that CSC staff are to be held accountable for their brutal and abusive ways in a court of law.

The case commences in February '95 when the crown will declare its decision.

Chronology of Events

October 24, 1993: Robert Gentles dies of asphyxiation;
December 16, 1993: Guards refuse to give police detailed statements;

January 7, 1994: Crown and police decide against charges;

January 26, 1994: Family asks A.G. (Attorney General) to reconsider charges;

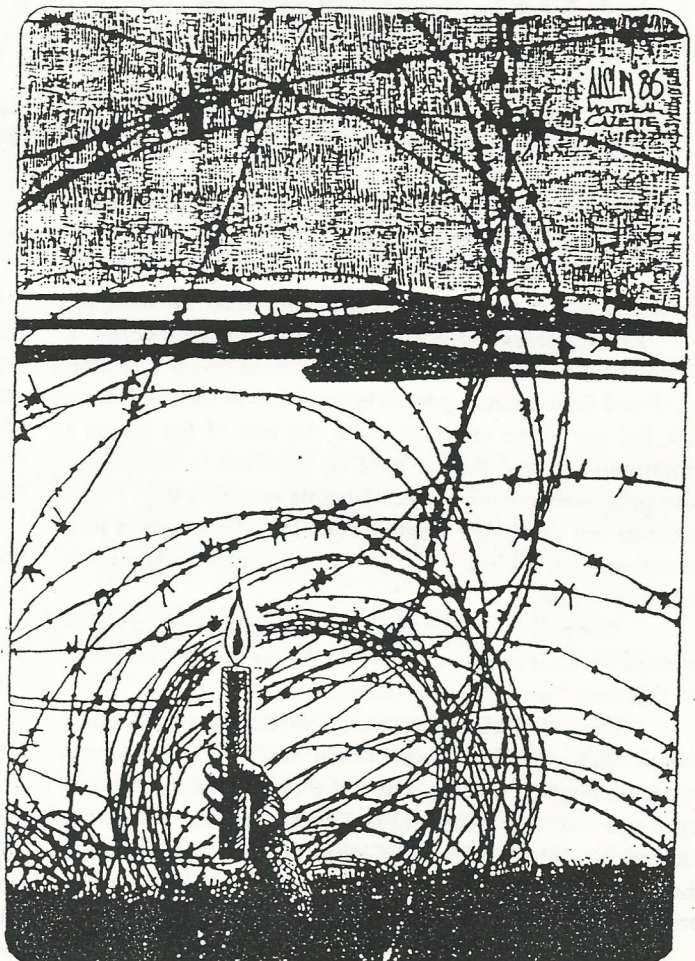
February 21, 1994: A.G. refuses family's request for charges;

June 23, 1994: Moldaver J. refuses application to have private prosecution hearing in Toronto;

Aug 24-Sept 2, 1994: Private prosecution hearing proceeds in Kingston before Justice Jolicoeur;

October 24, 1994: Vigil in memory of Robert Gentles on the one year anniversary of his death held in front of Kingston Penitentiary at 7:30pm;

October 25, 1994: Prison guards made first appearance in Court at Kingston Provincial Court, Wellington St., court room #3, 9:30am.



MEDICAL NEGLECT: The Crisis of HIV/AIDS in Prisons

Just because a person has been sentenced to prison, it does not mean that they no longer have any rights.

Medical care and treatment is everyone's right, meaning every person in prison has this right as well. However, some of the current medical practices within the prisons amounts to none other than criminal neglect. Especially when it comes to HIV/AIDS!

Although we spend vast amounts of tax dollars on criminal justice and prison budgets are high, health care costs are not a priority. As a result, even minor illnesses can become major because they are ignored.

In the case of HIV/AIDS, treatments and preventive medications are practically unavailable, leaving prisoners with HIV/AIDS even more vulnerable to illnesses that are not fatal to those without HIV/AIDS. There is no denying that what is available to a person with HIV/AIDS in the community is not in the prison setting.

This is a contradiction to guaranteed rights to health and medical treatments for prisoners, and puts into question whether Correctional Services Canada meets the standard it professes through the laws that govern it.

Another urgent aspect of the crises of HIV/AIDS in prisons is the need for HIV testing.

Without knowing they are infected, prisoners can and will pass it on to others inside as well as on the outside when they are released. At the same time, not knowing they are infected prevents them from getting treatment that will prolong their life-span.

Therefore, there needs to be a priority in providing HIV testing, and this testing needs to be informed, consensual, and anonymous accompanied with pre and post-testing counselling. Currently this is unavailable in the prisons.

A strong deterrent from getting tested for HIV is the fact that there is very high degree of lack of confidentiality of prisoners' medical information. This is in direct violation of the rights to doctor/patient confidentiality.

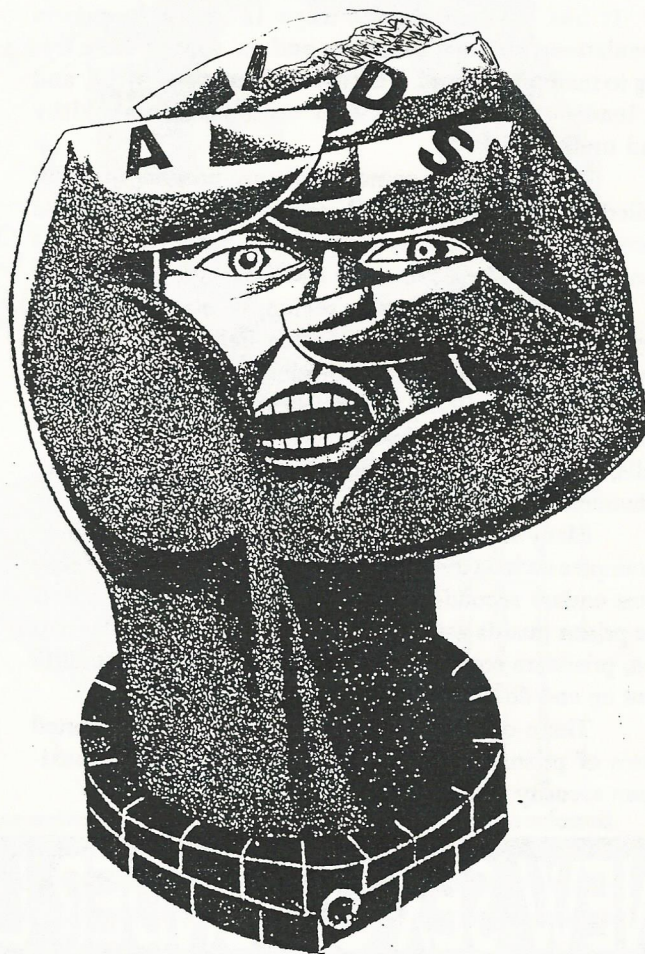
Because of the myths and misconceptions of HIV/AIDS due to the lack of factual education, prisoners do not want to be near those who are infected.

As a result, prisoners with HIV/AIDS are in many cases isolated, ostracized and abused by both their peers and custodial staff. It is no wonder why persons with HIV/AIDS in prisons live only half as long as those with the illness in the community.

Another component of the crisis is the lack of preventive measures for those at high risk.

Currently all federal prisons and some provincial ones do provide condoms to prisoners. This leaves at least 50% of prisoners who do use injection-drugs at risk. There needs to be an implementation of needle exchanges, which are available in our communities.

Not too many years ago, prison administrators were of the mind that HIV/AIDS is not a problem in the prisons,



because sex is proscribed and drugs are illegal.

Regardless of peoples' moral point of view, people are going to continue to have sex and shoot up. So there needs to be every precaution taken, which cannot happen without needle exchange and condoms in the prisons.

Only recently have prison administrators and health care workers come to terms with the reality that prisoners are among the high risk group with HIV/AIDS.

IV-drug users, sex-trade workers and those practising unsafe sex with many partners make up a large proportion of prison populations. And they continue their practices in prisons.

Without factual education, testing for HIV and implementing preventive measures, there is a potential for a much worse crisis than already exists. The reality is that prison walls will not contain this plague and it will increase the rate of HIV/AIDS in our community.

Technically, there is no death penalty in Canada. In reality, without proper education, preventive measures and treatment for HIV/AIDS in prisons, some people are being sentenced to death.

DOUBLE-BUNKING: Double the Trouble

The current practice of double-celling prisoners in maximum security prisons is dangerous and unlawful.

It has amounted to a huge increase in prison populations, straining resources and the wit of those trying to maintain control. The result is over-control, and is leading to conditions that are unsafe, unhealthy and undignified.

Federal prisons commonly house prisoners double-celled for lengthy periods. There is no regard for possible incomparability and only on occasion can a prisoner appeal to custodial staff to allow a cell-change.

Prisons in the Ontario region, such as Warkworth, Joyceville, Millhaven and Kingston Pen currently house up to one third more than the originally designed capacity of these facilities. It has become so serious that there have been reports during the past year that in some segregation cells, there are three prisoners in space we would consider inhumane for even one.

Many sources of conflict arise from double-celling. Examples include the situation that some who do not smoke must endure second-hand smoke from their cell mate. If the prison guards are unsympathetic for no particular reason, prisoners complaining about smoking will be told to shut up and do their time.

There occur many unreported as well as reported cases of prisoner assaults in the close quarters of maximum security cells.

This creates an atmosphere of tension and fear for the individuals as well as for the entire prison community, including for the custodial and front-line staff. It is notable that prison deaths do occur in disproportionate numbers compared with the number of deaths in society.

The negative conditions of double-bunking are almost endless. As are the results of the psychological, emotional and physical abuses endured by those forced into double-bunked cells.

This practice is not only contrary to law governing the Correctional Services Canada, but is also a violation of the guaranteed rights within the Charter of Rights and Freedoms. These conditions are also contrary to the United Nations "Standard Rules For Treatment of Prisoners".

Most people are punished when they break the law. Some of them are confined to dangerous and inhumane prisons. But there are those that remain above the law, and that is the message we are sent by a prison system that continues to punish in a cruel and unusual manner.

Prison Populations

Prison	Capacity	Population
Joyceville (medium)	496	550
Kingston (maximum)	308	495
Bath (medium)	185	242
Warkworth (medium)	488	680

NEW SEX OFFENDER LAW NOT A SOLUTION

During their election campaign, the liberal hopefuls promised to initiate programs in the prisons.

With reporting of sex offenses on the rise, there is no denying the need for a solution to such violent and abhorrent transgressions. As the opposition, they shot down the tory bill that promised to keep sex offenders in prison indefinitely. After all, there is a guarantee to the right to not be arbitrarily detained.

In the first month of this year, our liberal government has gone to the provinces asking for help to develop the same law they opposed. They are seeking a tactic that cannot be challenged in the courts. And they will attempt to create an entire industry of confining people in places of danger and despair.

It is questionable whether there is a desire to spend what little money there is on keeping people locked up at such social and economic cost. Not attempting to develop solutions for the domestic abuse that is responsible for such anti-social behaviour as sexual assault and deviance will only result in more victims.

More effective treatment in conducive environment will address the needs of sex offenders. Many programs

are operable and more can be developed.

Unfortunately, the funds available are being diverted away from programs to increase custodial staff. And build more prisons!

We need to re-evaluate and think about whether we wish to employ many people to guard others or do we develop social development programs that not only employ people, but address some of our domestic problems?

The solution to our over-populated prisons and the unavailable social and life skills programs is to release the majority of the non-violent prisoners convicted of property crimes.

Statistics show that only seven to ten percent of the fourteen -thousand federal prisoners constitute the "violent few". These are the people that must be confined for the protection of society as well as protection from themselves.

But the facilities they are confined in need not be the brutal and inhumane ones that we maintain today. There is an urgent need to oppose any new law to confine people indefinitely, while we address the problems of domestic violence in our communities.

PUBLIC CALL FOR FEDERAL ENQUIRY

There is only one method to initiate a federal enquiry in Canada. The only body that has the authority and power to do so is the Federal Cabinet.

However, without the necessary public pressure, such institutions as the Correctional Services Canada can and will remain accountable to no one. Thus public pressure must be directed towards the Federal Cabinet, and we are currently seeking active support in creating that political clout.

Aside from the fact that conditions in the prisons are not the "country-club" atmospheres that the public is led to believe they are by the media, Correctional Services Canada is not upholding its primary objective and mandate to protect the public.

This is based on an analysis of recidivism and the escalation of the nature of the crimes of recidivists. After all, we are punishing prisoners in a quest for revenge, thereby sending a message that to seek revenge is acceptable.

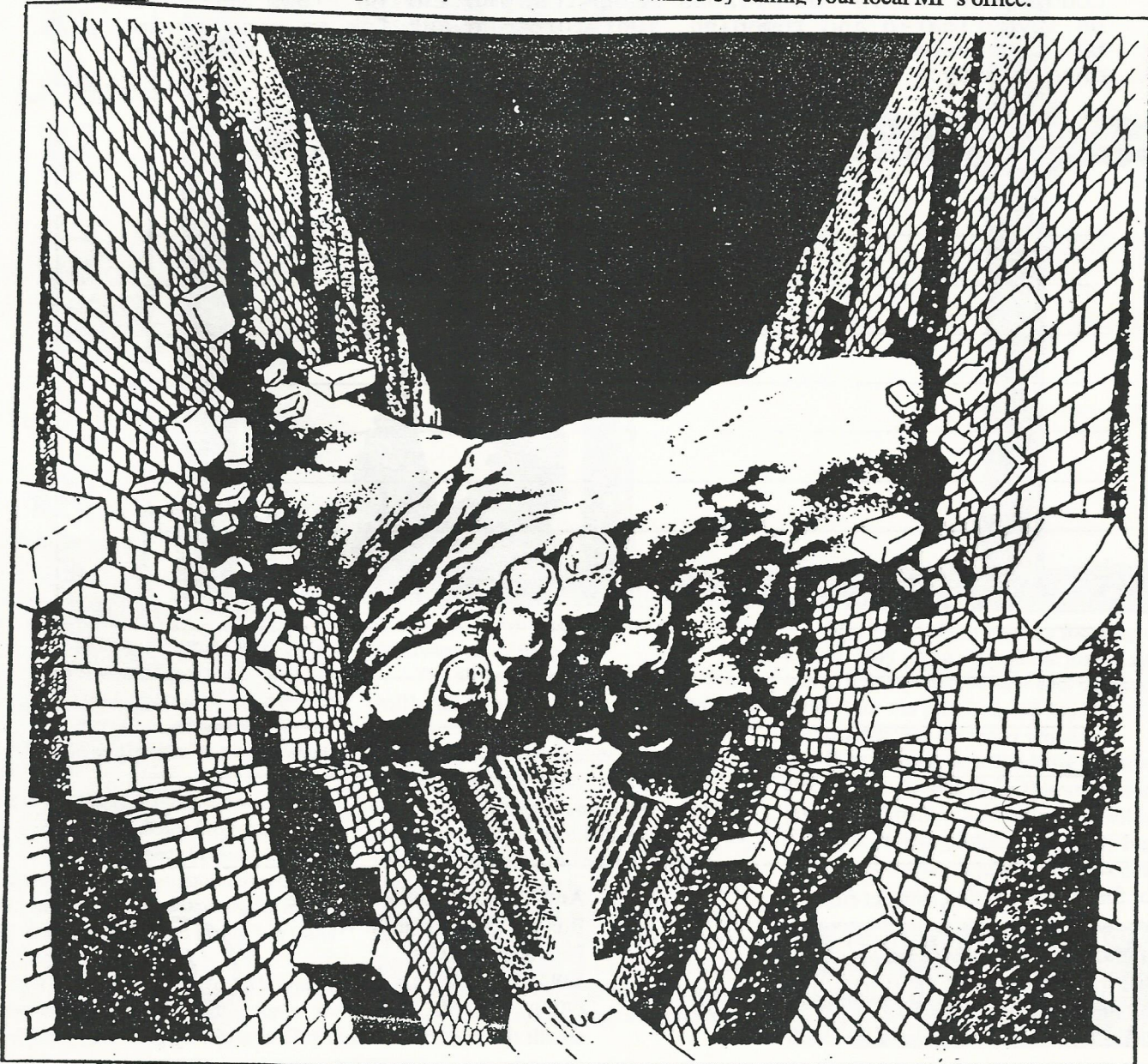
Considering the dangerous, unhealthy and abusive environment that our prisons are, it is not difficult to understand why prisoners are not only unable to adjust upon release, they are also resentful and seek revenge.

Thus, Correctional Services Canada does not uphold its secondary mandate either- to rehabilitate offenders and assist in their becoming pro-social people.

It is outrageous that at a cost of approximately \$65,000 per prisoner annually, we continue to accept the failures of our prison system.

All the while, this federal agency overseen by the Solicitor-General remains above the very laws it professes to uphold. The question is how long should we continue to quietly allow this to happen in Canada?

The Prison Violence Project is asking concerned persons to write to the Cabinet Minister of their choice, to demand a federal enquiry into the practices of Correctional Services of Canada. A current list of Cabinet Ministers can be obtained by calling your local MP's office.



P E T I T I O N

TO: The CABINET, House of Commons, Ottawa, Canada

We the undersigned wish to call to the attention of the Cabinet Ministers in the Parliament of Canada: the abuses suffered by women in the Prison For Women, the killing of Robert Gentles in Kingston Penitentiary, criminal medical neglect, lack of effective and accessible rehabilitative programs for sex offenders and further questionable practices by Correctional Services Canada that result in dangerous, unhealthy and undignified environment of federal prisons.

We ask that the Cabinet Ministers of the Parliament of Canada to consider: that the Correctional Services Canada under the office of the Solicitor-General is currently unaccountable to the Canadian public. Daily practices of abuse, human and civil rights violations are unacceptable to us. Cruel and inhumane treatment due to conditions within the prisons transgress our current laws and must be investigated and remedied. Therefore, we ask for an enquiry to be commissioned by your authority at the earliest possible opportunity.

NAME _____

ADDRESS

SIGNATURE

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For further information, contact either:

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